

FACSIMILE COVER SHEET

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To: U.S. Patent and Trademark Office

Facsimile No.: (571) 273-8300

From: John C. Pokotylo, Esq.

Date: November 16, 2009

Number of Pages Including Cover: 18

MESSAGE: FORMAL SUBMISSION OF:

- 1) Transmittal (1 pg.);
- 2) Fee transmittal (1 pg.);
- 3) Request for a Two (2) Month
Extension of Time (2 pgs.); and
- 4) Election with Amendment (13 pgs.).

Attorney Docket No.: Poly-50/APP

Appl. No.: 10/768,977

Applicants: Stephen ARNOLD, et al.

Filed: January 30, 2004

Title: DNA OR RNA DETECTION AND/OR QUANTIFICATION USING SPECTROSCOPIC
SHIFTS OF TWO OR MORE OPTICAL CAVITIES

TC/A.U.: 1634

Examiner: Robert Thomas Crow

CERTIFICATE OF FACSIMILE TRANSMISSION

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John C. Pokotylo

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Signature

November 16, 2009
Date

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Modified PTO/SB/21 (08-00)

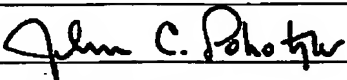
Approved for use through 10/31/2002. OMB 0851-0031

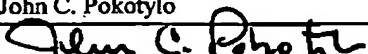
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| | | |
|---|------------------------|--------------------|
| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> | Application Number | 10/768,977 |
| | Filing Date | January 30, 2004 |
| | First Named Inventor | Stephen A F NOLD |
| | Group Art Unit | 1634 |
| | Examiner Name | Robert Thomas Crow |
| Total Number of Pages in This Submission | Attorney Docket Number | Poly-50/APP |

| ENCLOSURES (check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Postcard Receipt <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | John C. Pokotylo (Reg. No. 36,242) |
| Signature |  |
| Date | November 16, 2009 |

| CERTIFICATE OF FACSIMILE | |
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| Typed or printed name | John C. Pokotylo |
| Signature |  |
| Date | November 16, 2009 |

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Modified PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2008

Effective 09/30/2007. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 245.00)

Complete If Known

| | |
|----------------------|--------------------|
| Application Number | 10/768,977 |
| Filing Date | January 30, 2004 |
| First Named Inventor | Stephen ARNOLD |
| Examiner Name | Robert Thomas Crow |
| Art Unit | 1634 |
| Attorney Docket No. | Poly-50/APP |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

| | |
|------------------------|-------------------|
| Deposit Account Number | 50-1049 |
| Deposit Account Name | Straub & Pokotylo |

The Commissioner is authorized to: (check all that apply)

☒ Charge any underpayment of fee(s) indicated below
☒ Charge any fee(s) due in connection with the filing submitted herewith
☒ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.
☐ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH & EXAMINATION FEES

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------|-----------|
| 1090 | 545 | Utility fee | |
| 460 | 230 | Design fee | |
| 720 | 380 | Plant fee | |
| 1520 | 760 | Reissue fee | |
| 220 | 110 | Provisional fee | |
| SUBTOTAL (1) | | | (\$ 0.00) |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|---|
| 1202 52 | 2202 26 | Claims in excess of 20 |
| 1201 220 | 2201 110 | Independent claims in excess of 3 |
| 1203 390 | 2203 195 | Multiple dependent claim, if not paid |
| 1204 220 | 2204 110 | **Reissue independent claims over original patent |
| 1205 52 | 2205 26 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|---|----------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of \$ IR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of \$ IR after Examiner action | |
| 1251 130 | 2251 65 | Extension for reply within first month | |
| 1252 490 | 2252 245 | Extension for reply within second month | 245.00 |
| 1253 1,110 | 2253 555 | Extension for reply within third month | |
| 1254 1,730 | 2254 865 | Extension for reply within fourth month | |
| 1255 2,350 | 2255 1,175 | Extension for reply within fifth month | |
| 1401 540 | 2401 270 | Notice of Appeal | |
| 1402 540 | 2402 270 | Filing a brief in support of an appeal | |
| 1403 1,080 | 2403 540 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to Institute a public use proceeding | |
| 1452 540 | 2452 270 | Petition to revive - unavoidable | |
| 1453 1,620 | 2453 810 | Petition to revive - unintentional | |
| 1501 1,510 | 2501 755 | Utility issue fee (or reissue) | |
| 1502 860 | 2502 430 | Design Issue fee | |
| 1503 1,180 | 2503 595 | Plant issue fee | |
| Petitions to the Commissioner - check fee sheet | | | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(c) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 810 | 2809 405 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 810 | 2810 405 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 810 | 2801 405 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 245.00)

SUBMITTED BY

| | | | | | |
|-------------------|------------------|-----------------------------------|-------------------|-----------|----------------|
| Name (Print/Type) | John C. Pokotylo | Registration No. (Attorney/Agent) | 36,242 | Telephone | (732) 936-1400 |
| Signature | | Date | November 16, 2009 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2338.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.